



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No.03-284-E)

PATENT

In re Application of:

Costa et al.

Serial No.: 10/809,144

Filed: March 25, 2004

For: Methods of Inhibiting Tumor
Cell Proliferation

Before the Examiner: Unassigned

Group Art Unit: 1642

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER

1. We are transmitting herewith the attached papers for the above-described patent application: Information Disclosure Statement and return postcard.
2. GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES: Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2490.
3. CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8: The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 11, 2006.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Dated: May 11, 2006

By: 

Jason J. Derry
Reg. No. 50,692



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INFORMATION DISCLOSURE STATEMENT

This statement is filed under 37 C.F.R. §§ 1.97-1.98 in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

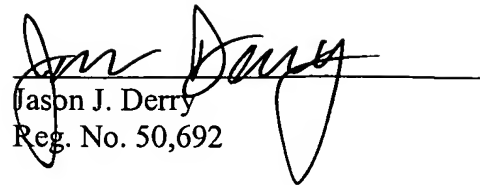
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, Applicants hereby authorize the Commissioner to charge the fee to Deposit Account No. 13-2490.

Respectfully submitted,
McDonnell Boehnen Huibert & Berghoff

Dated: May 11, 2006

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Attorney Docket No. 03-284-E

Complete if Known

Application No. 10/809,144

Filing Date: March 25, 2004

First Named Inventor Costa et al.

Group Art Unit 1642

Examiner Name

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Figures Appear
		Number	Kind Code ² (if known)			
		US 2002/0156023	A1	Walling et al.	10-24-2002	
		US 2002/0155988	A1	O'Hare et al.	10-24-2002	
		US 2002/0193325	A1	DEPINHO	12-19-2002	
		6,172,194	B1	Sherr et al.	01-09-2001	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		WO	01/60374	A1	Centre National De La Recherche Scientifique	08-23-2001		
		WO	02/083140	A1	Merck & Co., Inc.	10-24-2002		
		WO	02/26236	A1	Virginia Commonwealth Univ.	04-04-2002		
		WO	02/092013	A3	Board of Trustees of the U of I	11-21-2002		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC. 20231

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application No.	10/809,144
				Filing Date:	March 25, 2004
				First Named Inventor	Costa et al.
				Group Art Unit	1642
				Examiner Name	
Sheet	2	of	32	Attorney Docket No.	03-284-E

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		WANG <i>et al.</i> "Increased Hepatic Forkhead Box M1B (FoxM1B) Levels in Old-aged Mice Stimulated Liver Regeneration through Diminished p27 ^{Kip1} " <i>Journal of Biological Chemistry</i> 277(46) 44310-16 (November 15 2002).	
		MAJOR <i>et al.</i> , "Forkhead Box M1B Transcriptional Activity Requires Binding of Cdk-Cyclin Complexes for Phosphorylation-Dependent Recruitment of p300/CBP Coactivators" <i>Molecular and Cellular Biology</i> 24(7)2649-61 (April 2004).	
		KRUPCZAK-HOLLIS <i>et al.</i> , "Growth Hormone Stimulates Proliferation of Old-Aged Regenerating Liver Through Forkhead Box m1b" <i>Hepatology</i> 38(6) 1552-62 (December 2003).	
		WANG <i>et al.</i> , "The Forkhead Box m1b transcription factor is essential for hepatocyte DNA replication and mitosis during mouse liver regeneration" <i>PNAS</i> 99(26) 16881-6 (December 24, 2002).	
		KORVER <i>et al.</i> , "The Human TRIDENT/HFG-11/FKHL 16 Gene: Structure, Localization, and Promoter Characterization" <i>Genomics</i> 46:435-442 (1997).	
		KORVER <i>et al.</i> , "The winged-helix transcription factor Trident is expressed in cycling cells" <i>Nucleic Acids Research</i> 25(9)1715-19 (1997).	
		YAO <i>et al.</i> , "Molecular Analysis of a Novel Winged Helix Protein, WIN" <i>The Journal of Biological Chemistry</i> 272(32) 19827-36 (August 8, 1997).	
		YE <i>et al.</i> , "Hepatocyte Nuclear Factor 3/fork head Homolog 11 Is Expressed in Proliferating Epithelial and Mesenchymal Cells of Embryonic and Adult Tissues" <i>Molecular and Cellular Biology</i> 17(3)1626-41 (1997).	
		YE <i>et al.</i> , "Premature Expression of the Winged Helix Transcription Factor HFH-11B in Regenerating Mouse Liver Accelerates Hepatocyte Entry into S. Phase" <i>Molecular and Cellular Biology</i> 19(13)8570-80 (1999).	
		SUPRIATNO <i>et al.</i> "Overexpression of p27 ^{Kip1} induces growth arrest and apoptosis in an oral cancer cell line" <i>Oral Oncology</i> 38(7)730-736 (2002).	
		THE <i>et al.</i> , "FOX M1 is a Downstream Target of Gli1 in Basal Cell Carcinomas ¹ " <i>Cancer Research</i> 62(16)4773-4780 (2002).	

Examiner Signature		Date Considered	
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